



S010520%S%2004

2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: LOUIS J BIAGGI;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

LOUIS J BIAGGI

PO BOX 368

MANCHESTER, CA 94063

STATEMENT NO.: S010520
CONTACT PHONE NO.: (707)882-1842

*Returned
Mail*

Source Name: BRUSH CREEK

Tributary To: PACIFIC OCEAN

County: Mendocino

Diversion Within: SW1/4 of SW1/4 Section 24, T13N, R17W, MB&M

Year of First Use:

Parcel Number:

A. **Water is Used Under:** Riparian claim _____ Pre-1914 right _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)				Acre-feet (AF)				Other		Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		
2002														
2003														
2004														

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES _____ NO _____

Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

*GL
8/8*

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ____
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20____ at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

RECEIVED MAY 20 1996
S-10520

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996:

OWNER OF RECORD: LOUIS J BIAGGI, ~~RUSSELL W BIAGGI~~
deceased

LOUIS J BIAGGI
P O BOX 6
MANCHESTER, CA 95459

STATEMENT NO: S010520

SOURCE: BRUSH CREEK
TRIBUTARY TO: PACIFIC OCEAN
COUNTY: MENDOCINO
DIVERSION

TELEPHONE NUMBER:
(707) 882-2347
YEAR OF FIRST USE:
PARCEL NO:

WITHIN: SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ SECTION 24, T13N, R17W, MD B M.

- A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) _____.
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993													0
1994													0
1995													0

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering _____; Domestic _____
Other (specify) _____
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5-20, 19 96, at Manchester, California

SIGNATURE: Louis J Biaggi

PRINTED NAME: Louis (FIRST NAME) J. (M. NAME) Biaggi (LAST NAME)

COMPANY NAME: _____

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

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ITEM

CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5741

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

LOUIS J & RUSSELL W BIAGGI
P O BOX 6
MANCHESTER, CALIF 95459

STATEMENT NO: 010520

TELEPHONE NUMBER:
(707) 882-2347

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BRUSH CREEK

TRIBUTARY TO: PACIFIC OCEAN

COUNTY: MENDOCINO

"BIAGGI EAST PUMP"

DIVERSION SW $\frac{1}{4}$ (no change in location of diversion but in description of location
WITHIN: SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ SECTION 24, T13N, R17W, MDB8M. advised SWRCB 7/86 on same report

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1987. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ (other)

SEE ATTACHED

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1984					X	X	X	X	X				
1985					X	to 6-30-85							
1986				X	X	X	to 7-31-86						

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation SEE ATTACHED

Stockwatering SEE ATTACHED

Domestic NONE

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

SEE ATTACHED

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: July 21, 1987, at Manchester, California

Signature:

Louis J. Biaggi

1986

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

RECEIVED JAN 8 1990

(916) 322-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010520

LOUIS J & RUSSELL W BIAGGI
P O BOX 6
MANCHESTER, CALIF 95459

1987
88
89

TELEPHONE NUMBER:
(707) 882-2347

IF NAME/ADDRESS/PHONE NO.:

PLEASE CORRECT.

SOURCE: BRUSH CREEK

TRIBUTARY TO: PACIFIC OCEAN

COUNTY: MENDOCINO

DIVERSION

WITHIN: SW1/4 OF SW1/4 SECTION 24, T13N, R17W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1987				X	X	X	X	X					
1988				X	X	X							
1989				X	X	X	X						

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation SEE ATTACHED

Stockwatering SEE ATTACHED

Domestic NONE

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 28, 2990, 19 at Manchester, California

Signature:

Louis J Biaggi

JUL 27 1990 KSN

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

010520

ATTACHMENT FOR SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
1987 1988 1989

B: The ranch has a total land area of 505 acres and rent addition acres. Over the past three years 1987, 1988 and 1989, we have irrigated approximately 300 acres each year, and have had stockwatering for our dairy herd which varies from 350-500 head. This is done under our riparian rights and our appropriative rights License #7517 on Brush Creek and License #7518 on Lagoon Lake in a commingled system.

Although these are two separate drainage basins and the ranch occurs in both basins, for our convenience and saving of power we currently operate these as a single irrigation system drawing from these two sources. It is difficult to distinguish between the waters of Brush Creek and Lagoon Lake or between the waters diverted under riparian rights or appropriative rights.

JUL 27 1990 KSN

STATE WATER RESOURCES
CONTROL BOARD

1987 AUG -3 PM 4:49

DIV. OF WATER RIGHTS
SACRAMENTO

ATTACHMENT FOR STATE WATER RESOURCES CONTROL BOARD
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
To be filed by 7-1-87 for 1984, 85, and 86.

Statement No. 0150519 - NW1/4 of SW1/4 Section 24, T13N, R17W,
MDB&M and

Statement No. 0150520 - SW1/4 [should be SE1/4] of SW1/4 Section
24, T13N, R17W,
MDB&M

RE:

Item B. Purpose of Use

The ranch has a total land area of 505 acres and in addition we rent approximately 486 acres. Over the past three years 1984, 1985, and 1986, we have irrigated approximately 300 acres each year, and have had stockwatering for our dairy herd which varies from 350-500 head. This is done under our riparian rights and our appropriative rights License #7517 on Brush Creek and License #7518 on Lagoon Lake in a commingled system.

Although these are two separate drainage basins and the ranch occurs in both basins, for purposes of efficiency we currently operate these as a single irrigation system drawing from these two sources. It is difficult to distinguish between the waters of Brush Creek and Lagoon Lake or between the waters diverted under riparian rights or appropriative rights.

In addition, we exercise riparian rights on rented lands. When the flow in Brush Creek will allow and there is need for irrigation of crops or permanent pasture, we exercise Lombardi riparian rights.

Item D. Not applicable.

swrcsdiv.87